

DETAILED ACTION

1. The following is a final office action on merits. Amendments received on 11/06/07 have been entered. As per applicant claims 1-10 are cancelled. Claims 11-18 are pending.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. Claims 11-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Graziano et al. (US Pub 2002/0111698) in view of Sekiguchi (US Pub 2002/0156899).

As of claims 11 and 15, Graziano discloses a remote controller (via Web-Based Host 70; see fig. 1) and a method of controlling an operation of a device through a network (via a we-based system for monitoring and/or controlling home devices; see abstract) which enables a terminal device (via remote device 10; see fig. 1) to control an operation of a device through a network (via using network 50, to control the Home 30; see fig. 1), the remote controller comprising:
an address storage (via Web-based host 70, comprising a memory 74 and a database

75; see fig. 6) operable to acquire a current address of the remotely controlled device on the network by communicating with the remotely-controlled device through the network, (via storing the each unique address of the home device in the Web-based host 70; Note: Graziano also discloses that the Web-based host 70 can communicated with the home devices and log the data/information in a database (see paragraph [0038]; also see fig. 6). The Web-based host 70 connects with the home devices through home attendant 31, which is a controller inside the home to receive the signals from the Web-based host 70 to control the home devices. Graziano further discloses that the home attendant can be incorporated inside the device so device can directly communicate with the Web-bases host 70; see paragraph [0048], lines 8-11); a first communication interface (via Web-based host 70 comprising control panel program 76 that include multiple applications, so the Web-based host can communicate with the home 30 via network 50; see paragraph [0057], lines 1-8) operable to transmit, through the network at constant time to the remotely-controlled device based on the address, a status notification request, and operable to receive, from the remotely-controlled device in response to the status notification request, status information indicating a status of the remotely controlled device(Graziano discloses this feature with the example of a temperature controller. For example, the user, using the remote device can send a signal to the web-based host 70 requesting the current temperature of the thermostat via the network 50, web-based host 70 will transmit the signal to the home 30 via the network 50, the home attendant 31 or the device if the home attendant is incorporated within the device will transmit the current temperature via the network 50,

to the web-based host, and web-based host will transmit the signal back to the remote device; see paragraph [0080], Graziano further discloses that at the time of generating account user provides home configuration information to generate customized description of their home, and home configuration information includes behavioral setting which monitors the status of the home devices (remotely controlled device) according to user preference (e.g., day time state, evening state and night state) so web based host system will transmit these information at times specified by user, hence transmitting status request at constant times ;

a status storage operable to store the status information received from the device (Graziano discloses that the web-based host can transmit the event immediately or it can store the data/information and then transmit at a later time; also see paragraph [0039]);

And a second communication interface operable to transmit the stored status information on the device to the terminal device through the network in response to a status request from the terminal device (via Web-based host 70 comprising control panel program 76 that include multiple applications, so the Web-based host can communicate with the remote device 10 via network 50; see paragraph [0057], lines 1-8; Graziano further discloses that a user can use the remote device to initiate a control command and receive the status information of the device via the web based host 70; see paragraph [0087]; also see fig. 11).

Graziano discloses that the terminal device controls the home device through a network. However, Graziano fails to explicitly disclose acquiring a current address of the remotely-controlled device at constant time interval.

Sekiguchi discloses a home network system, including a terminal device (via mobile phone) communicating with the home device (see fig. 1; also see paragraph [0019] and [0024]) through a network (via using Gateway 118 and Gateway 102 using the internet; see fig. 1). Sekiguchi discloses that home gateway comprises two systems (via first system and second system; see fig. 2; also see paragraph [0026]) wherein second system is connected to peripheral devices on home network. Sekiguchi further discloses that first system periodically (constant time interval) monitors the connectivity conditions of controller 225 to determine whether the power of the second system is turned on, and when power is turned on, the first system acquires the IP address (current address) of the second system, which is connected to the home devices (see paragraph [0059]-[0062] and [0067]-[0069]).

From the teaching of Sekiguchi it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the system of Graziano to include the step of obtaining a current address of the device as taught by Sekiguchi so the current address (IP address) of the device is automatically obtained and the interface connectivity problem is avoided (see paragraph [0011]).

As of claims 12 and 16, Graziano discloses that the first communication interface transmits the status notification request to the device when the status request is received from the terminal device (via web-based host 70 requesting the current

temperature upon the user selection from the remote device 10; see paragraph [0080], lines 7-15).

As of claims 13 and 17, Graziano discloses that the device transmits the status information on the device to the first communication controller when the status of the device is changed (via home attendant monitoring the home devices, and upon the occurrence of an event (status change) on home device 40, information is transmitted to the we-based host 70 via network 50; see paragraph [0039]).

As of claims 14 and 18, Graziano discloses that remote-controlled device controlled is operable to detect a status of a subject to be controlled in the remote-controlled device and transmits the detected status to the terminal device in response to the status notification request (via the home attendant 31 monitoring the home device 40, and upon the occurrence of an event on a home device 40, transmitting the information to the web-based host 70 via the network 50, and web-based host transmitting the information to the remote device 10; see paragraph [0039], also see paragraph [0080] Grazino further discloses that a user can use the remote device to initiate a control command and receive the status information of the device via the web based host 70; see paragraph [0087]; also see fig. 11).

Response to Arguments

4. Applicant's arguments with respect to all the claims have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **NABIL H. SYED** whose telephone number is (571)270-3028. The examiner can normally be reached on **M-F 7:30-5:00 alt Friday off**.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Brian Zimmerman** can be reached on (571)272-3059. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2612

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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Examiner
Art Unit 2612

N.S

/Brian A Zimmerman/
Supervisory Patent Examiner, Art Unit 2612